

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

KENNETH W. YATES,

Plaintiff,

v.

**MICHAEL J. ASTRUE,
Commissioner of Social Security**

Defendant.

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CIVIL ACTION NO. 09-00212-CG-N

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the recommendation of the Magistrate Judge made under 28 U.S.C. § 626(b)(1)(B) and dated March 29, 2010, is **ADOPTED** as the opinion of this Court and it is **ORDERED** that the plaintiff's motion be **GRANTED** and plaintiff awarded fees in the amount of **\$1,028.54** pursuant to the EAJA.

DONE and ORDERED this 14th day of April, 2010.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE